

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

GOOGLE LLC,

Petitioner,

C.A. No.

v.

FORTRESS INVESTMENT GROUP,
FORTRESS CREDIT CO. LLC, and CF
UNILOC HOLDINGS LLC,

(United States District Court for the Eastern
District of Texas, Case Nos. 2:18-cv-00491–
93, 496–97, 499, 501–04-JRG-RSP (E.D.
Tex.)

Respondents.

**DECLARATION OF JONATHAN TSE IN SUPPORT OF GOOGLE LLC’S MOTION
TO COMPEL FORTRESS INVESTMENT GROUP, FORTRESS CREDIT CO. LLC,
AND CF UNILOC HOLDINGS LLC TO COMPLY WITH SUBPOENAS ON AN
EXPEDITED BASIS**

I, Jonathan Tse, declare as follows:

1. I am an attorney at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendant Google LLC (“Google”) in the above-captioned case. I submit this declaration in support of Google’s Motion to Compel Fortress Investment Group, Fortress Credit Co. LLC, and CF Uniloc Holdings LLC to Comply with Subpoenas on an Expedited Basis.

2. I have personal knowledge of the facts stated herein, and, if called to testify, I could and would competently testify thereto.

3. After Google’s motion to compel Fortress Investment Group, Fortress Credit Co. LLC, and CF Uniloc Holdings LLC (collectively, “Subpoenaed Entities”) in the District of Delaware was fully briefed and a hearing was set, Uniloc 2017 LLC (“plaintiff Uniloc 2017”) produced a subset of, the documents that Google was seeking from the Subpoenaed Entities. In exchange for plaintiff Uniloc 2017’s agreement to produce that subset of documents, Google agreed to withdraw that motion.

4. Plaintiff Uniloc 2017 has expressly disclaimed knowledge of CF Uniloc's ownership.

5. Attached hereto as Exhibit 1 is a true and correct copy of Google's Subpoena to Fortress Investment Group, served on January 22, 2020.

6. Attached hereto as Exhibit 2 is a true and correct copy of Google's Subpoena to Fortress Credit Co. LLC, served on January 22, 2020.

7. Attached hereto as Exhibit 3 is a true and correct copy of Google's Subpoena to Fortress Investment Group, served on January 22, 2020.

8. Attached hereto as Exhibit 4 is a true and correct copy of email correspondence titled "RE: Uniloc v. Google: Responses to Subpoenas to Fortress Credit Co LLC, Fortress Investment Group, CF Uniloc Holdings LLC, and Constantine Dakolias" between counsel for Google (Deepa Acharya) and counsel for Subpoenaed Entities (Jeremiah Armstrong), last dated August 14, 2019.

9. Attached hereto as Exhibit 5 is a true and correct copy of the Subpoenaed Entities' Opposition to Google's Motion to Compel in *Google LLC v. Fortress Investment Group, Fortress Credit Co. LLC, and CF Uniloc Holdings LLC*, C.A. No. 19-mc-202-RGA, D.I. 5 (D. Del.), filed on August 28, 2019.

10. Attached hereto as Exhibit 6 is a true and correct copy of Google's Motion to Dismiss for Lack of Standing and Improper Venue Under Rules 12(b)(1), 12(b)(3) and 12(b)(6) in *Uniloc 2017 LLC v. Google LLC*, Case Nos. 2:18-cv-00548, -549, -550, -551, -552, -553, Dkt. 21 (E.D. Tex.), filed on June 19, 2019.

11. Attached hereto as Exhibit 7 is a true and correct excerpted copy of the document titled “Conformed Revenue Sharing and Note and Warrant Purchase Agreement,” dated December 30, 2014.

12. Attached hereto as Exhibit 8 is a true and correct excerpted copy of the document titled “Third Amendment to Revenue Sharing and Note and Warrant Purchase Agreement,” dated May 15, 2017.

13. Attached hereto as Exhibit 9 is a true and correct copy of the document titled “Patent Security Agreement,” dated December 30, 2014.

14. Attached hereto as Exhibit 10 is a true and correct copy of email correspondence titled “RE: Email memorializing February 24 meet and confer re Fortress Entities subpoena” between counsel for Subpoenaed Entities (Jeremiah Armstrong) and counsel for Google (undersigned), last dated February 27, 2020.

15. Attached hereto as Exhibit 11 is a true and correct copy of plaintiff Uniloc 2017’s Objections and Responses to Google’s Rule 30(b)(6) Deposition Notice, served October 3, 2019.

16. Attached hereto as Exhibit 12 is a true and correct copy of Fortress Investment Group’s Responses and Objections to Subpoena, served February 4, 2020.

17. Attached hereto as Exhibit 13 is a true and correct copy of Fortress Credit Co. LLC’s Responses and Objections to Subpoena, served February 4, 2020.

18. Attached hereto as Exhibit 14 is a true and correct copy of CF Uniloc Holding LLC’s Responses and Objections to Subpoena, served February 4, 2020.

19. Attached hereto as Exhibit 15 is a true and correct copy of email correspondence titled “RE: Uniloc v. Google – Email memorializing February 12 meet and confer” between

counsel for Google (Mike Jones) and counsel for Subpoenaed Entities (Jeremiah Armstrong), last dated February 24, 2020.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed March 4, 2020 in San Francisco, California.

/s/ Jonathan Tse
Jonathan Tse

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